



**IN THE UNITED STATES OF AMERICA
PATENT AND TRADEMARK OFFICE**

APPLICANT: Larry Schlatre & Alan Colby **EXAMINER:**
SERIAL NO.: 10/713,300 **ART UNIT:** 2177
FILING DATE: November 14, 2003 **DOCKET NO:** 16980/100547-00

TITLE: An Integrated System for Routine Maintenance of Mechanized Equipment

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. FORM PTO -1449 (Modified)
6. Copies Of Listed Information Items Accompanying This Statement
9. Concise Explanation Of English Language Listed Information Items
(Optional)
10. Identification Of Person(s) Making This Information Disclosure
Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Section 6. Copies of Listed Information Items Accompanying This Statement

Copies of the documents listed accompany this information disclosure statement.

Section 9. Concise Explanation Of English Language Listed Information Items (Optional)

The Quail West Proposal

Applicant has disclosed a document dated prior to August 18, 2000, entitled “An Overview of Grounds and Maintenance Software @ Quail West Golf Maintenance” (“the Quail West Proposal”). This document was prepared by Applicant pursuant to a confidentiality agreement with The Toro Company (“Toro”) and was not disseminated to the public. Nevertheless, out of an abundance of caution, Applicant submits this reference here in the event the Examiner wishes to consider it beyond its submission as an exhibit to an accompanying 37 C.F.R. § 1.131 declaration.

The Deere Proposal

Applicant has disclosed a PowerPoint file, named “deere1.ppt” and last modified prior to August 18, 2000, containing a presentation entitled “John Deere and InCircuit: The Winning Combination,” and an accompanying undated information booklet (collectively, “the Deere Proposal”). The file and resulting booklet were prepared by Applicant during negotiations for the acquisition of Applicant’s company by the John Deere Company (“Deere”). Applicant executed a non-disclosure agreement with Deere prior to the submission of the Deere Proposal, and the Deere Proposal was not disseminated to the public. Nevertheless, out of an abundance of caution, Applicant submits this references here in the event the Examiner wishes to consider it beyond its submission as an exhibit to an accompanying 37 C.F.R. § 1.131 declaration.

2000 Golf Industry Show


As described in the Quail West Proposal, Applicant debuted an interface for Palm® handheld devices to its desktop software at the February 2000 Golf Industry Show in New Orleans, Louisiana,

presented by Golf Course Superintendents Association of America. (*See* p. 7.) The product presented at the New Orleans show was a Palm® handheld device with mock-up presentations. The device was not capable of providing the functionality described, but instead was used as a marketing tool for future products for Applicant. Because the invention was not yet reduced to practice, and the claimed features of the present invention were not yet developed nor functionally present in the displayed device, Applicant does not believe that the use in 2000 constitutes a public use of the invention. Moreover, no printed literature was distributed or displayed along side the device, and no publication exists describing this use. Nevertheless, out of an abundance of caution, Applicant submits the description here in the event the Examiner wishes to consider it.

Section 10. Identification of Person(s) Making THIS INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information in the attorney's file.

Date: December 6, 2006


BERNARD F. MERONEY
Registration No.: 37,188
Jones, Walker, Waechter, Poitevent,
Carrère & Denègre, L.L.P.
8555 United Plaza Boulevard, 4th Floor
Baton Rouge, LA 70809
Telephone: (225) 248-2124
Facsimile: (225) 248-3124



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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		<i>Complete if Known</i>	
		Application Number	10/713,300
		Filing Date	November 14, 2003
		First Named Inventor	Larry Schlatre
		Art Unit	2177
		Examiner Name	
Sheet 1 of 1	Attorney Docket Number	16980/100547-00	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"John Deere and InCircuit: A Winning Combination", August 18, 2000	
		"Agreement Between InCircuit Development Corp. and Larry Schlatre" August 18, 2000	
		consulting invoices between InCircuit and Sclatre dated March 2000 to August 2000	
		"An Overview of Grounds Maintenance Software @ Quail West Golf Maintenance", August 18, 2000	
		"License and Distribution Agreement between InCircuit Development Corporation and The Toro Company", August 18, 2000	
		"Agreement to Not Disclose Deere's of Second Party's Proprietary Information", August 18, 2000	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.